

REMARKS

Claims 1-6, 11-14, 16-21, 23-25, 30-36, 41-44, 47-50, 52-54, 59-65, 70-72, 74-76, 82-83, 85-87, and 92-98 are now pending in the application. Claims 7-10, 15, 22, 26-29, 37-40, 45-46, 51, 55-58, 66-69, 73, 77-81, 84, 88-91, and 99-104 are cancelled without disclaimer or prejudice to the subject matter contained therein. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 11, 12, 15, 23, 24, 41, 42, 45, 46, 52, 53, 81, and 92 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ko et al. (U.S. Pat. No. 6,765,736). This rejection is respectfully traversed.

With respect to claims 15, 45, and 81, these claims are cancelled. As such, the rejection of these claims is rendered moot.

With respect to claim 11, Ko fails to show, teach, or suggest at least a first counter that generates a first count of an attribute of a write signal that is output by said read channel circuit, and a second counter that generates a second count of said attribute of a looped-back write signal that is received by said read channel circuit. In particular, Ko fails to show, teach, or suggest first and second counters that count the same attribute of a write signal and a looped-back write signal.

For anticipation to be present under 35 U.S.C. §102(b), there must be no difference between the claimed invention and the reference disclosure as viewed by one skilled in the field of the invention. Scripps Clinic & Res. Found. V. Genentech,

Inc., 18 USPQ.2d 1001 (Fed. Cir. 1991). All of the limitations of the claim must be inherent or expressly disclosed and must be arranged as in the claim. Constant v. Advanced Micro-Devices, Inc., 7 USPQ.2d 1057 (Fed. Cir. 1988). Here, Ko fails to disclose the limitation of first and second counters that **count** the attribute.

As shown in an exemplary embodiment in FIG. 3A of the present application, a read channel circuit 100 includes a first counter 104 and a second counter 108. For example, the first and second counters 104 and 108 can be edge counters. The counters 104 and 108 count an attribute (e.g. a rising edge, a falling edge, a pulse etc.) of corresponding signals. For example, the first counter 104 counts an attribute of a write signal. The second counter 108 counts the same attribute of a looped-back write signal.

In contrast, the alleged first and second counters of Ko do not appear to **count** attributes. For example, the Examiner relies on a detection circuit 210 of reading and writing assembly 200 to disclose the first counter.

Applicant notes that the detection circuit 210 does not appear to **count an attribute** of a signal. For example, the Examiner relies on a write-safe signal 222 to disclose the write signal. Applicant respectfully submits that the detection circuit 210 does not **count** an attribute of the signal 222, but instead measures an amplitude of the signal 222. Ko discloses that “the detection circuit 210 can provide on-board continuous monitoring of the write-safe signal, and communicate with the system processor 198 to **compare the value of the write-safe signal to a saved threshold value.**” (See Column 5, Lines 45-48; Emphasis added). Similarly, FIG. 5 illustrates that the amplitude of the signal 222 is compared to threshold values 228. In other words, **the**

detection circuit 210 does not count any attributes of the signal 222, and instead appears to measure an amplitude of the signal 222.

Applicant respectfully notes that a counter, and counting, are not analogous to detecting an amplitude. For example, in the present context, a counter is defined as “a storage register or program variable used to tally how often something of interest occurs.” (Please see <http://dictionary.reference.com/browse/counter>). In other words, the first and second counters as recited in claim 11 determine how often the attribute of the signals occurs. In contrast, the detection circuit does not count any attributes of the signal 222 and merely detects an overall value.

Similarly, the alleged second counter of Ko does not **count** the same attribute (i.e. amplitude) of a looped-back write signal. For example, the Examiner relies on the threshold value 228 to disclose the second count. Here again, Applicant respectfully notes that the threshold value 228 is “set” based on a calculation of the contributions of a head 120 and an interconnect 202 to the write-safe signal 222. (See Column 6, Lines 31-37). More specifically, the write safe signal 222 is measured in various configurations and the threshold value 228 is set accordingly. The relevant description (Column 6, Lines 16-37) appears to be absent of any teaching or suggestion of actually **counting** an attribute (i.e. determining how often the attribute occurs) of the write-safe signal 228.

In view of the foregoing, Applicant respectfully submits that claim 11, as well as its dependent claims, should be allowable for at least the above reasons. Claims 41 and 92, as well as their corresponding dependent claims, should be allowable for at least similar reasons.

ALLOWABLE SUBJECT MATTER


The Examiner states that claims 1-6, 31-36, 60-65, 70-72, and 74-76 are allowable. The Examiner states that claims 13, 14, 16-21, 25, 30, 43, 44, 47-50, 54, 59, 82, 83, 85-87, and 93-98 would be allowable if rewritten in independent form. Applicant thanks the Examiner for the allowable subject matter. Accordingly, Applicant has amended claims 16, 47, 50, and 82 to include the limitations of the base claim and any intervening claims. Therefore, claims 16, 47, 50, and 82, as well as their corresponding dependent claims, should now be in condition for allowance. Applicant elects to defer amending claims 13, 14, 43, 44, and 93-98 into independent form until after the Examiner considers the above remarks.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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